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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/423,461	11/30/1999	HIDEKAZU KOJIMA	104651	6769
25944	7590	08/02/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			AN, SHAWN S	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/423,461

Applicant(s)

KOJIMA ET AL.

Examiner

Shawn S. An

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. As per Applicant's instructions as filed on 5/03/05, claims 1, 3, and 5 have been amended, and claims 2, 4, and 6-27 have been canceled.

Response to Remarks

2. Applicant's arguments with respect to claims 1, 3, and 5 have been carefully considered but are moot in view of the new ground(s) of rejection

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hattori (6,034,718) in view of Tagawa et al (4,772,945) and Takahashi (5,522,789).

Regarding claim 1, Hattori discloses an optical fiber observing image processing apparatus for the optical fusion splicer (Fig. 1; abs.) in which end faces of optical fibers (50a, 50b) can be automatically controlled by capturing and processing image data of the optical fibers photo-taken by cameras from plural directions (directions opposite and same directions by first and second cameras) (col. 3, lines 6-35), comprising:

an image capturing means (Fig. 1, 2a, 2b) capturing image data from at least two television cameras by at least one input processing circuit (7).

Hattori does not particularly disclose image processing only desired image data from each of the television cameras, and the capturing mode of the input capturing means including at least two of a capturing mode in which the image data can be captured from the television cameras from frame to frame and from field to field and the image data from the cameras can be captured by successively switching the cameras from the frame to frame and from the field to field.

Note: Applicant's invention performs at least two of a capturing mode after the input processing circuit selects the desired image data from each of the television cameras (Applicant's specification ; page 26, lines 2-12).

However, Tagawa et al teaches a surveillance system comprising an image capturing means (Fig. 1,1) capturing image data from at least two television cameras by at least one input processing circuit (11 and/or 12), and capturing and image processing only desired image data from each of the television cameras (col. 2, lines 7-57).

Further, Takahashi teaches two camera image observation processing apparatus (Fig. 11(a)) comprising the image capturing means having two or more different capturing modes (Fig. 12, 53, memory for cameras 2a and 2b, respectively), wherein the capturing modes are automatically switched (Fig. 12, 54; col. 11, lines 45-53) in synchronous with or independently from process of the image processing (Fig. 11, 37).

Furthermore, Takahashi also teaches at least two of a capturing mode in which the image data can be captured from the television camera from frame to frame and from field to field and the image data from the camera can be captured by successively switching the cameras from the frame to frame and from the field to field (Fig. 15; col. 13, lines 45-67; col. 14, lines 1-14).

Moreover, a frame (two fields) and a field image data are inherently made up of a plurality of pixels.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing an optical fiber observing image processing apparatus as taught by Hattori to incorporate the Tagawa et al and Takahashi's concepts as above for image processing only desired image data from each of the television cameras, and upon selecting the optimal desired image data from the input processing circuit, determine the capturing mode of the input capturing means including at least two of a capturing mode in which the image data can be captured from the television cameras from frame to frame and from field to field and the image data from the cameras can be captured by successively switching the cameras from the frame to frame and from the field to field for highly accurate fast observation by utilizing switching of video optical fiber images from the television cameras.

Regarding claim 3, Takahashi teaches the capturing means having a capturing mode in which a field of the respective camera is divided into two (right image and left image)(Fig. 15, elements 31a, 31b), and then into a multiplexed form (65). Therefore, it would have been obvious to have a capturing mode in which the desired television camera is assigned to the respective divided field to capture the image data of the plural television cameras into one field in a multiplexed form for highly accurate fast observation by utilizing switching of video optical fiber images from the television cameras.

Regarding claim 5, Takahashi teaches the capturing means having a capturing mode in which one scanning line of the respective camera is divided into two (right image and left image)(Fig. 15, elements 31a, 31b), and then into a multiplexed form (65). Therefore, it would have been obvious to have a capturing mode in which the desired television camera is assigned to the respective divided scanning line to capture the image data of the plural television cameras into one scanning line in a multiplexed form for highly accurate fast observation by utilizing switching of video optical fiber images from the television cameras.

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Conclusion

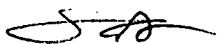
5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S. An* whose telephone number is 571-272-7324.

7. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SHAWN AN
PRIMARY EXAMINER

7/31/05